

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

BRAHEIM BALLARD

**CRIMINAL ACTION
NO. 15-180**

ORDER

AND NOW, this 2nd day of August, 2017, upon consideration of Defendant Ballard's Motion to Dismiss Count Sixteen of the Indictment (ECF No. 962) and the Government's response thereto (ECF 970), **IT IS ORDERED** that the Motion is **DENIED** without prejudice to refiling at the close of the Government's case pursuant to Rule 29 of the Federal Rules of Criminal Procedure.

BY THE COURT:

/s/ Wendy Beetlestone

WENDY BEETLESTONE, J.